

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DENNIS EDWARD ARENDT,

Plaintiff,

v.

Case No. 08-C-906

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER

Plaintiff Dennis E. Arendt has filed a complaint seeking review of the decision of the Commissioner of Social Security. Ordinarily, a plaintiff must pay a statutory filing fee of \$350 to bring an action in federal court. 28 U.S.C. § 1914(a). Plaintiff, however, has requested leave to proceed in forma pauperis, pursuant to 28 U.S.C. § 1915.

Section 1915 is meant to ensure indigent litigants meaningful access to federal courts. *Nietzke v. Williams*, 490 U.S. 319, 324 (1989). An indigent plaintiff may commence a federal court action, without paying required costs and fees, upon submission of an affidavit asserting inability “to pay such fees or give security therefor” and stating “the nature of the action, defense or appeal and affiant’s belief that the person is entitled to redress.” 28 U.S.C. § 1915(a)(1).

Plaintiff filed the required affidavit of indigence. Upon review of that affidavit, it appears that plaintiff could not afford the \$350 filing fee. Arendt indicates he has \$41 in his banking accounts and that his monthly expenses are \$1,094.18. He claims his current monthly income is \$1,821.56, though he expects this number to fall to \$1,100.78 in the near future. This is because

his son has been placed in foster care, which will mean Arendt will no longer receive that child's social security disability payment of \$720.78. Accordingly, **IT IS HEREBY ORDERED** that plaintiff's request to proceed in forma pauperis is **GRANTED**.

IT IS FURTHER ORDERED that the clerk shall serve a copy of the complaint and this order on the Commissioner of Social Security. Plaintiff must provide defendants or their counsel with copies of all future motions or papers filed by the plaintiff in this action.

Dated this 31st day of October, 2008.

s/ William C. Griesbach

WILLIAM C. GRIESBACH
United States District Judge